

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

Rayshan Watley,

Petitioner, : Case No. 1:09-cv-306

- vs -

: District Judge Sandra S. Beckwith
Magistrate Judge Michael R. Merz

Warden, Ohio State Penitentiary :

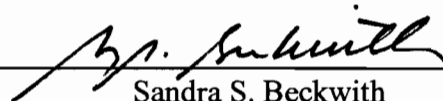
Respondent. :

ORDER ADOPTING REPORT AND RECOMMENDATIONS

The Court has reviewed the Second Supplemental Report and Recommendations of United States Magistrate Judge Michael R. Merz (Doc. #22), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby ADOPTS said Report and Recommendations.

Accordingly, it is hereby ORDERED that the Petition herein is DISMISSED with prejudice. Petitioner is also DENIED leave to appeal *in forma pauperis* and any request for certificate of appealability.

August 17th, 2010.


Sandra S. Beckwith
United States District Judge